

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RANDALL S. CAIN,

Plaintiff,

No. 08-CV-14699-DT

vs.

Hon. Gerald E. Rosen

PATRICIA CARUSO, et al.,

Defendants.

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION AND GRANTING DEFENDANT TURSAK'S
MOTION TO DISMISS OR FOR SUMMARY JUDGMENT

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on August 11, 2009

PRESENT: Honorable Gerald E. Rosen
Chief Judge, United States District Court

This matter having come before the Court on the July 23, 2009 Report and
Recommendation of United States Magistrate Virginia M. Morgan recommending that the
Court grant Defendant Margaret Tursak's Motion for Summary Judgment and dismiss
Defendant Tursak from this action; and Plaintiff having timely filed objections to the
Report and Recommendation; and the Court having reviewed the R&R, Plaintiff's
Objections and the Court's entire file of this matter, and having determined that, as
recommended by the Magistrate Judge, Defendant Tursak's motion should be granted,

NOW, THEREFORE,

IT IS HEREBY ORDERED that the Magistrate Judge's July 23, 2009 Report and

Recommendation [**Dkt. # 31**] is hereby adopted by the Court.

IT IS FURTHER ORDERED that Defendant Tursak's Motion for Summary Judgment [**Dkt. # 9**] is GRANTED. Accordingly,

IT IS FURTHER ORDERED that Plaintiff's claims against Defendant Tursak are hereby, DISMISSED, with prejudice.

SO ORDERED.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: August 11, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 11, 2009, by electronic and/or ordinary mail.

s/Ruth Brissaud
Case Manager